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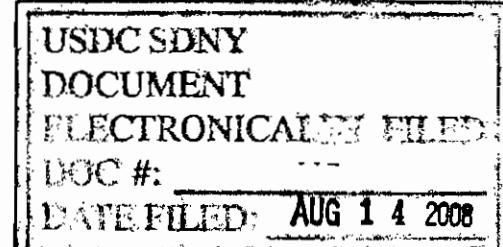
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**MEMO ENDORSED**

August 14, 2008



Honorable Laura Taylor Swain  
 United States District Judge  
 United States Courthouse  
 500 Pearl Street  
 New York, New York

Re: *Ognibene v. Parkes*  
 08 CV 1335 (LTS) (TDK)

Plaintiffs' Request to Submit a Single  
 Brief of 25 Pages

By Facsimile Transmission: 212-805-0426

Dear Judge Swain:

The defendants recently filed a response to plaintiffs' motion for a preliminary injunction, as well as a cross-motion for summary judgment. They received the Court's permission to file one brief of 50 pages to accomplish this task. It is plaintiffs' understanding that they could submit a 10 page reply brief in support of their motion for preliminary injunction, as well as a 25 page response brief in opposition to the defendants' motion for summary judgment. However, for the convenience of the Court and both sets of counsel, plaintiffs would like to respond to defendants' single brief in a single brief of their own.

**Plaintiffs therefore request that the Court allow them to respond in a single brief of 25 pages.** Plaintiffs do not request the 35 pages to which they are entitled under the rules because they do not believe that the issue before the Court is complicated enough to warrant that many pages. Rather, they believe that the issue is simple enough that it can be addressed in 25 pages.

We have spoken with Jon Pines, Assistant Corporation Counsel and attorney of record for the defendants. Mr. Pines has given his consent to plaintiffs' request.

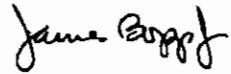
Honorable Laura Taylor Swain

August 14, 2008

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Sincerely,

BOPP, COLESON & BOSTROM



James Bopp, Jr.  
Joe La Rue

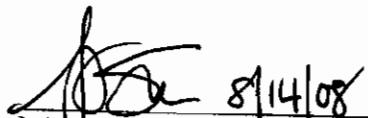
c: Jon Pines, Esq. (by email)  
Counsel for Defendants

Charles Capetanakis, Esq. (by email)  
Local Counsel for Plaintiffs

Mark Spund, Esq. (by email)  
Local Counsel for Plaintiffs

The request is granted. In light of the extent of the briefing in connection with these motions, the conference date is adjourned to September 30, 2008, at 3:30 pm.

SO ORDERED.



8/14/08  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE